

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JOHN BROSNAN,

No. C 07-04337 WHA

Plaintiff,

v.

**ORDER DENYING MOTION
TO AMEND JUDGMENT**

DON OBERLE, et al.,

Defendants.

A June 2008 order dismissed this action with prejudice because it was “duplicative of a previous appeal from the bankruptcy court and involved the same issues and the same parties” (Dkt. No. 28). The same order referred *pro se* plaintiff John Brosnan to the United States Attorney for possible perjury and obstruction. Plaintiff now moves to amend the judgment against him under Rule 60 on the ground of fraud. The motion falls well outside the one year limitations period in Rule 60(c)(1) and on that basis is **DENIED**. Moreover, even if the motion were timely, plaintiff’s allegations that defendants made various misstatements and misleading omissions in this action are irrelevant to the ground for dismissal. Plaintiff’s motion does not set out any basis to conclude that the dismissal on the ground that the action was duplicative was procured by fraud. The motion is accordingly **DENIED** for this reason as well.

IT IS SO ORDERED.

Dated: October 3, 2013.


WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE